



S-355

ORDINANCE NUMBER 2852

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW A RESIDENTIAL TOWNHOME DEVELOPMENT LOCATED AT 4100 SIGMA ROAD AND WITHIN THE PLANNED DEVELOPMENT NUMBER 64 (PD-64) ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Farmers Branch City Council is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a specific use permit to allow a residential townhome development located at 4100 Sigma Road within Planned Development Number 64 (PD-64) zoning district (hereinafter the "Property"), as described in Exhibit "A" and depicted in Exhibit "B," subject to the terms and conditions contained herein.

SECTION 3. That the Property shall conform in operation, location and construction to the development standards specified within the Planned Development Number 64 (PD-64) zoning district and in accordance with the approved site plan attached as Exhibit "C." All exhibits attached hereto are incorporated herein by reference.

SECTION 4. That the specific use permit and associated site plan attached hereto as Exhibit "C" is approved with the following conditions:

1. The subject property shall be replatted including the dedication of fire lanes, and public water and sanitary sewer, access, and private drainage easements, prior to issuance of a building permit.
2. The applicant shall provide a letter of approval from TXU regarding any proposed access to the TXU substation prior to issuance of a building permit. The Alpha Road entrance portion and western portion of the access proposed as an all-weather road surface shall be subject to administrative approval, prior to issuance of a building permit.

3. The architectural design elements for rear entry garage townhome elevations shall be subject to administrative approval prior to issuance of a building permit.
4. The design of the underground stormwater filtration and speed reduction system at the northwest corner of the development shall be subject to administrative approval prior to issuance of a building permit.
5. A Property Owner's Association shall be established prior to plat approval.

SECTION 5. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

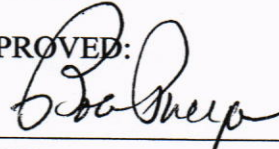
SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. This ordinance shall take effect immediately from and after its passage as the law in such case provides.

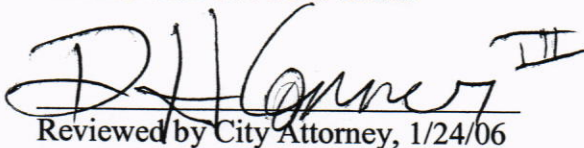
**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS
BRANCH, TEXAS, on this the 6th day of February, 2006.**

APPROVED:

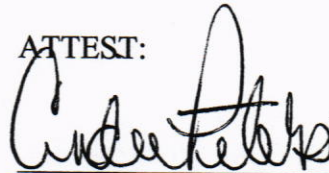


Mayor

APPROVED AS TO FORM:


Reviewed by City Attorney, 1/24/06

ATTEST:

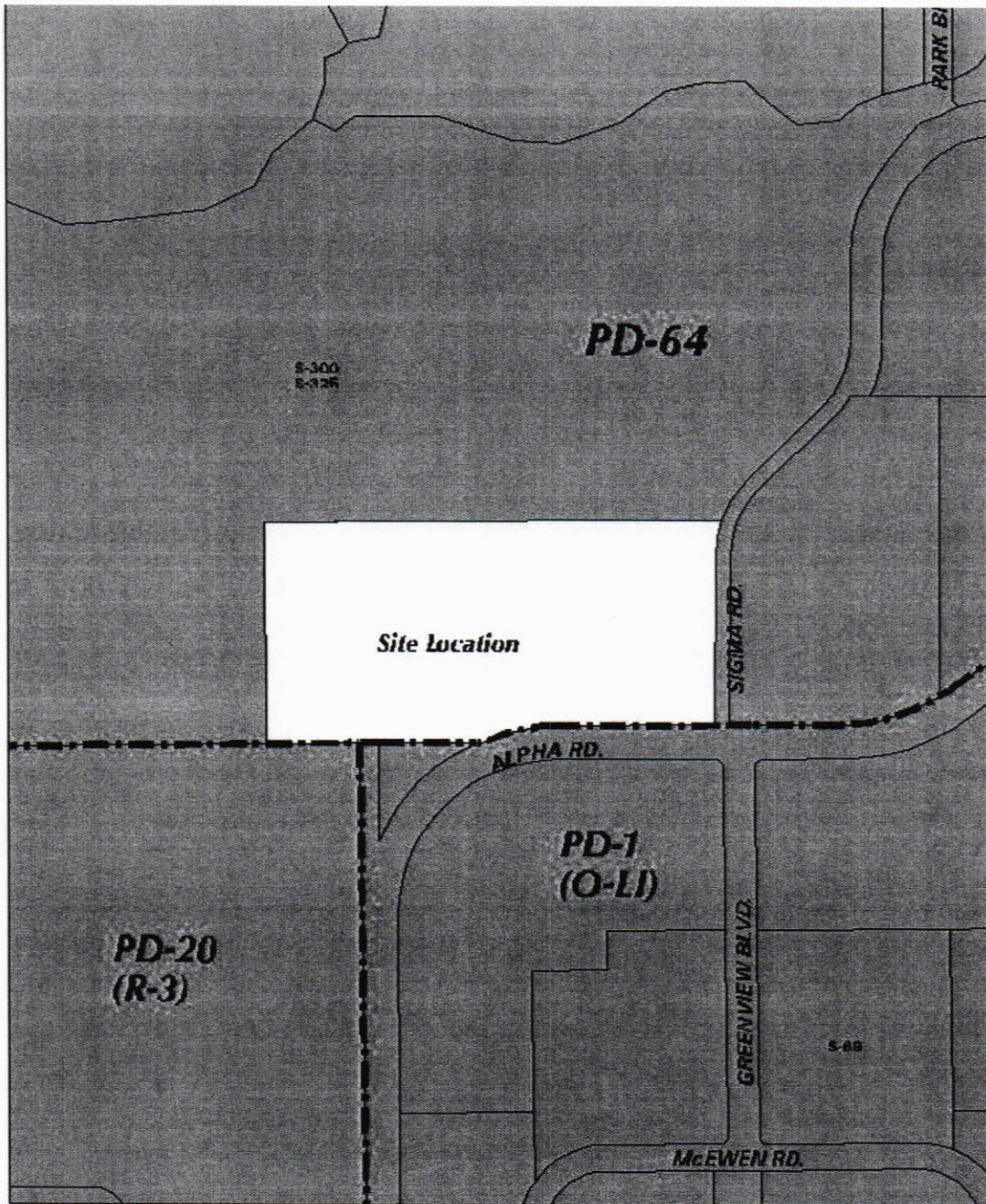


City Secretary

Exhibit A – Legal Description

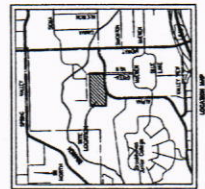
Lot 2 Block A of the Exxon Mobil Subdivision, an addition to the City of Farmers Branch, Dallas County, Texas. Volume 2001198, page 030.

Exhibit B – Locator Map



S.U.P. SUBMITTAL
EXXON MOBIL ADDITION
BLOCK A, LOT 2

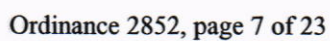
CITY OF FARMERS BRANCH
DALLAS COUNTY, TEXAS

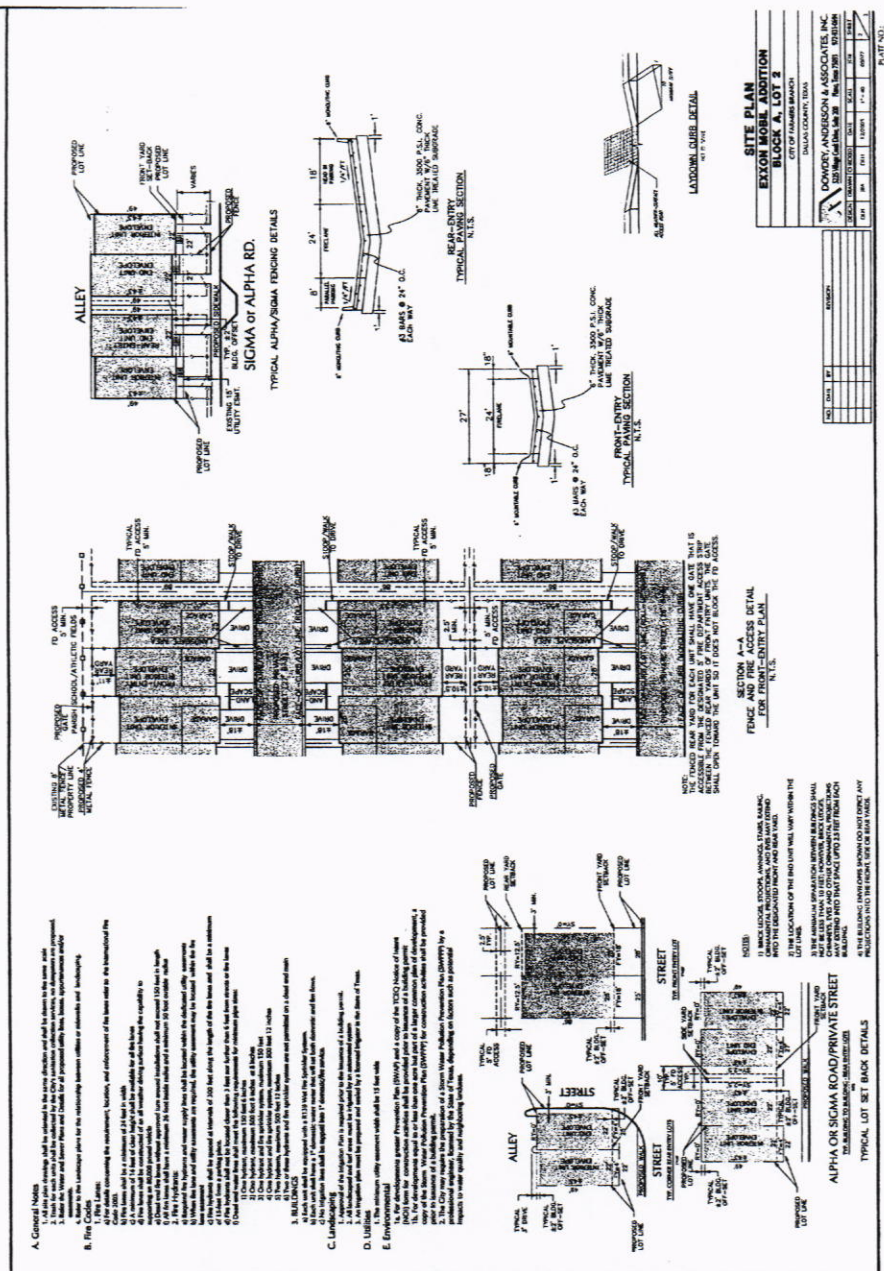


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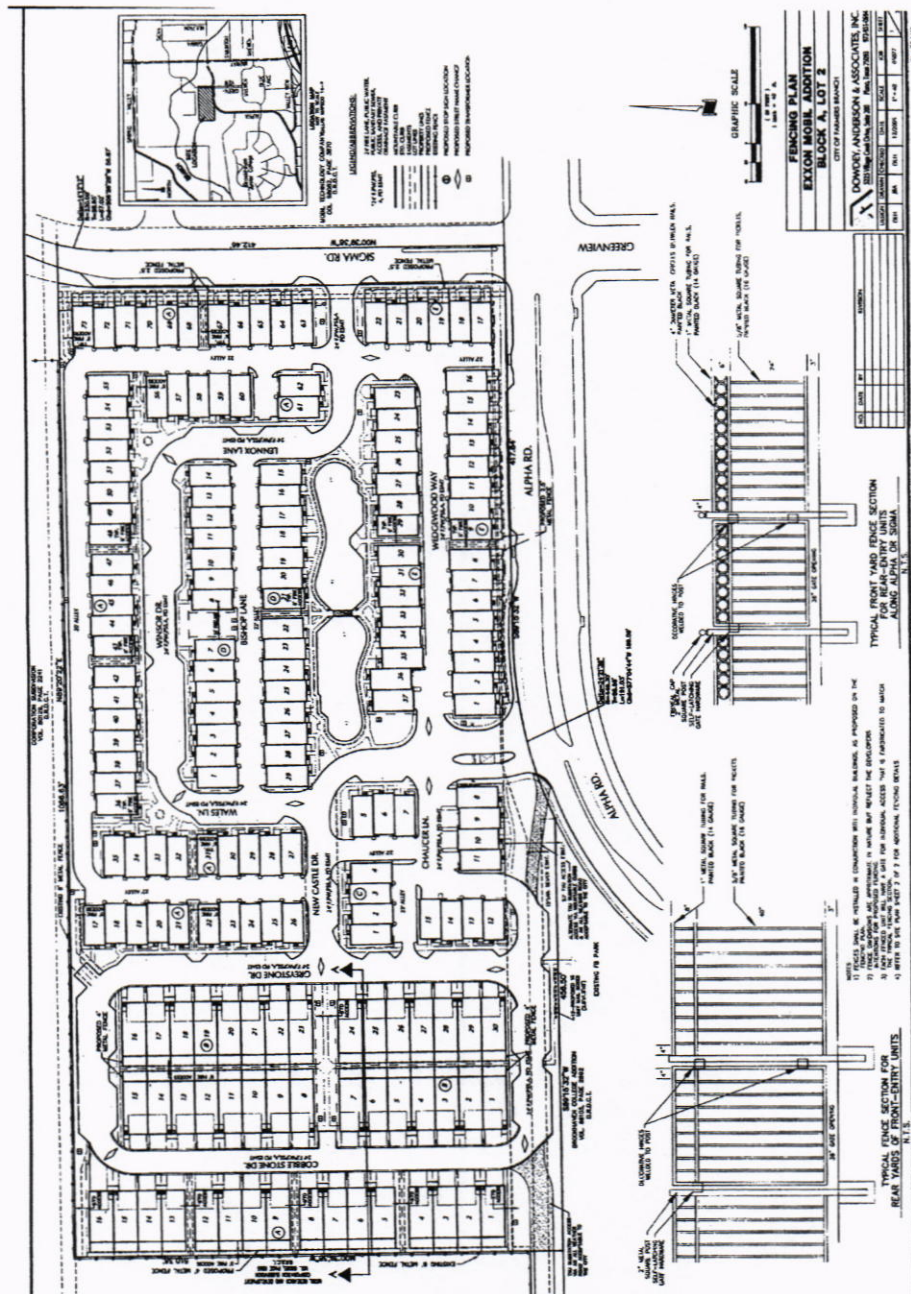


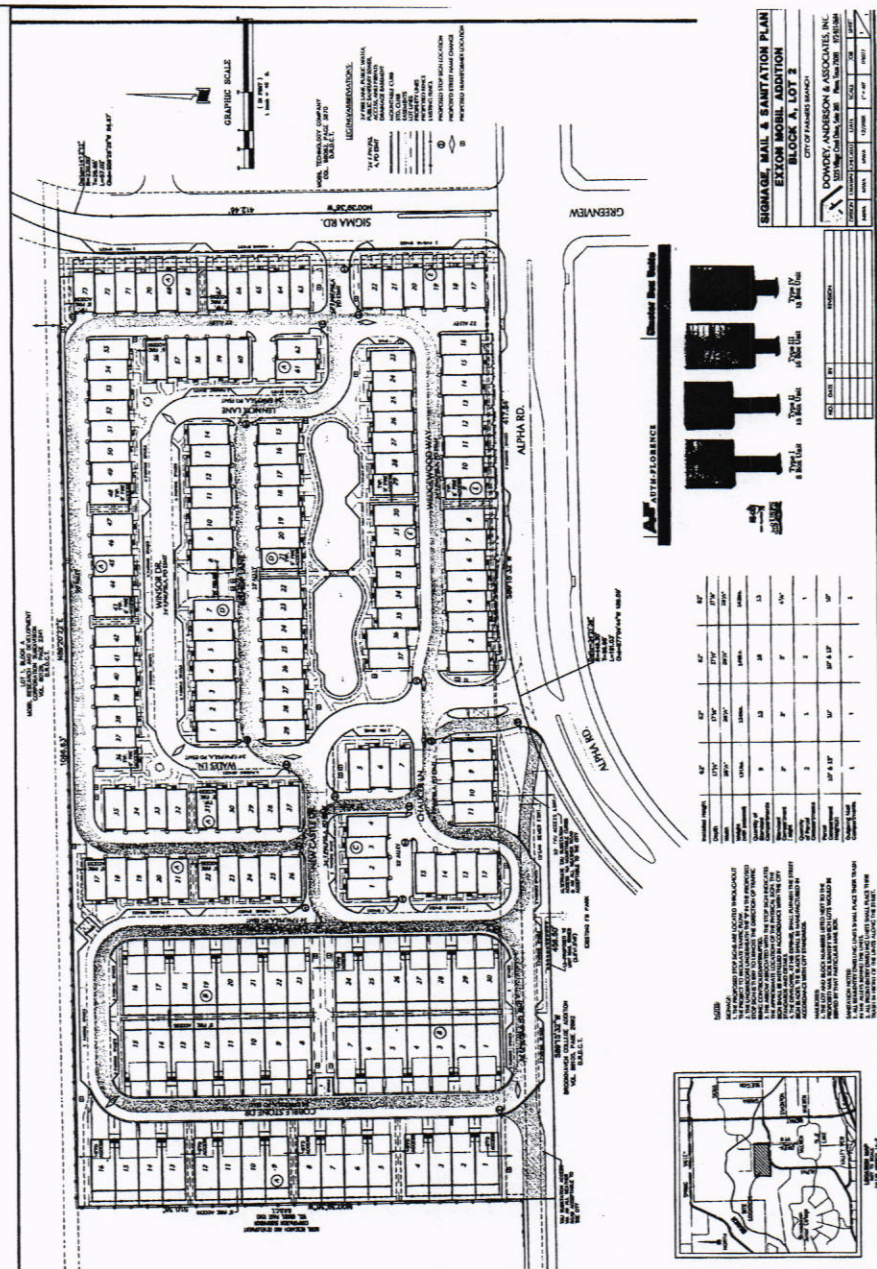
PLANNER/ENGINEER
DOWDEY, ANDERSON & ASSOCIATES, INC.
5225 Village Creek Drive, Suite 200 Plano, Texas 75093 972-931-0694





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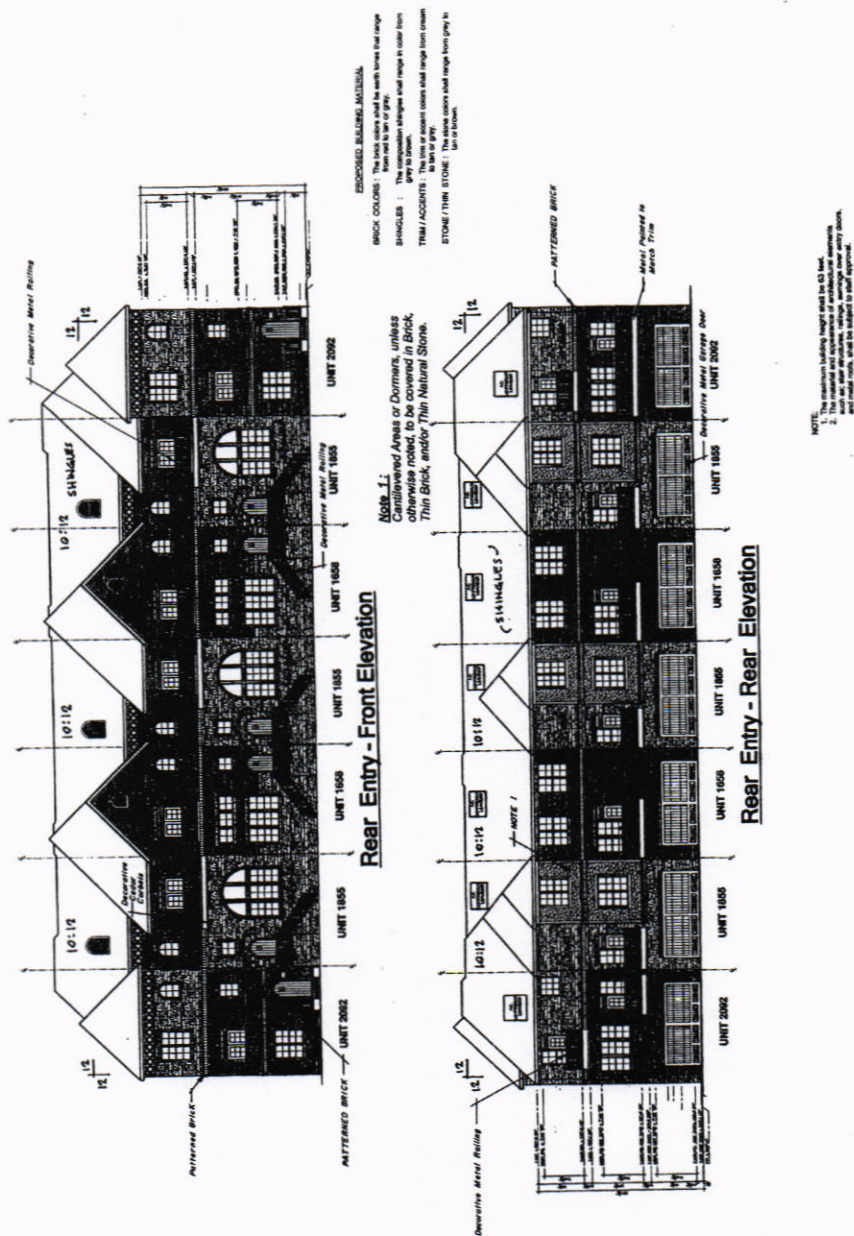
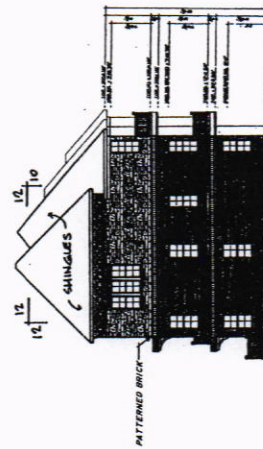


Exhibit C – Site Plan (continued)

Note 1:
Canterbed Areas or Dormers, unless
otherwise noted, shall be covered in Brick,
Thin Brick, and/or Thin Natural Stone.



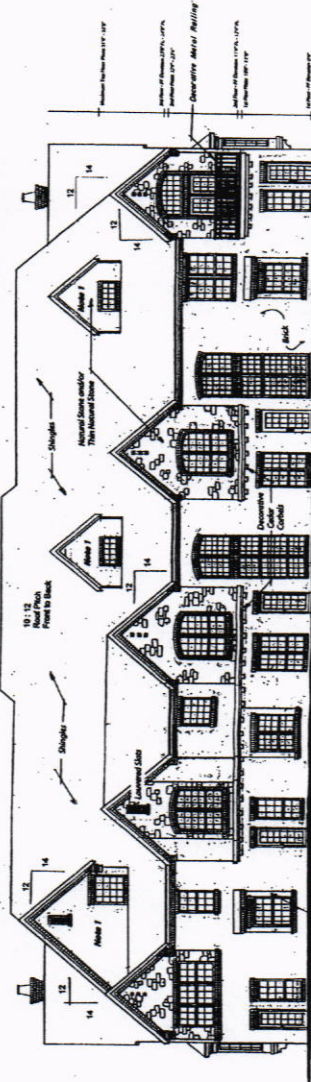
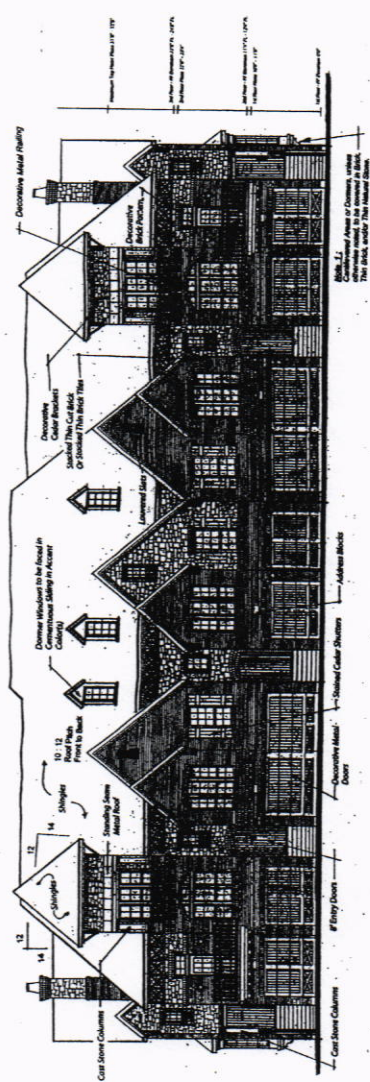
Rear Entry - Side Elevation

Exxon Mobil Tract

Former Branch Texas

NOTE:
1. The maximum building height shall be 60 feet.
2. The maximum building width shall be 100 feet.
3. The maximum building depth shall be 100 feet.
4. The maximum building area shall be 10,000 square feet.
5. The maximum building volume shall be 100,000 cubic feet.
6. The maximum building footprint shall be 10,000 square feet.
7. The maximum building height shall be 60 feet.
8. The maximum building width shall be 100 feet.
9. The maximum building depth shall be 100 feet.
10. The maximum building area shall be 10,000 square feet.
11. The maximum building volume shall be 100,000 cubic feet.
12. The maximum building footprint shall be 10,000 square feet.

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NOTE:

3. The maximum building height shall be 63 feet.
4. The material and appearance of architecture elements such as stair structures, railings, ceilings over entry doors, and metal roofs, shall be subject to staff approval.

PROPOSED BUILDING MATERIAL

BRICK COLORS : The brick colors shall be earth tones that range from red to tan or grey.

SHINGLES : The composition shingles shall range in color from grey to brown.

TRIM / ACCENTS : The trim or accent colors shall range from cream to grey.

STONE / TIER STONE : The stone colors shall range from grey to tan or brown.

Author's address: Department of Mathematics, University of California at San Diego, La Jolla, CA 92037, U.S.A.
E-mail: shashank@ucsd.edu

Exhibit C – Site Plan (continued)

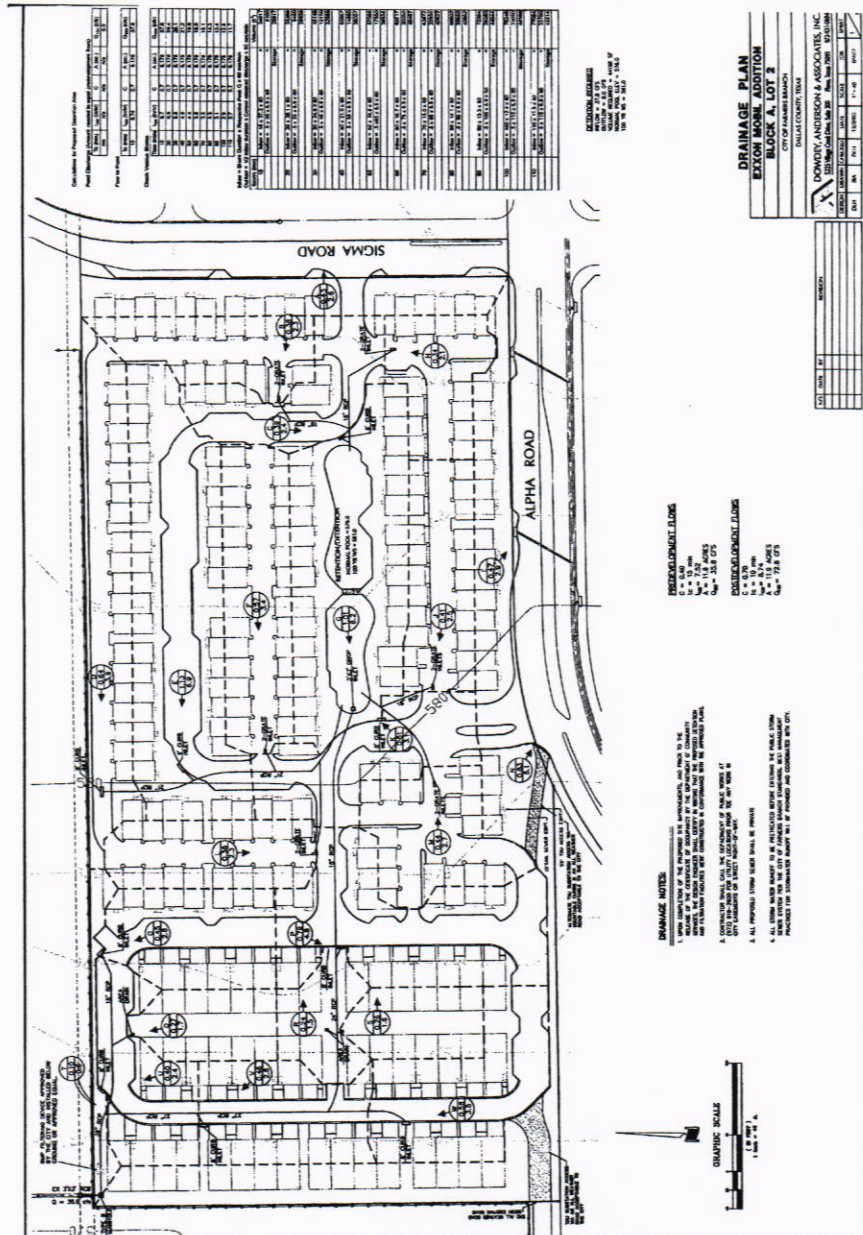


Exhibit C – Site Plan (continued)

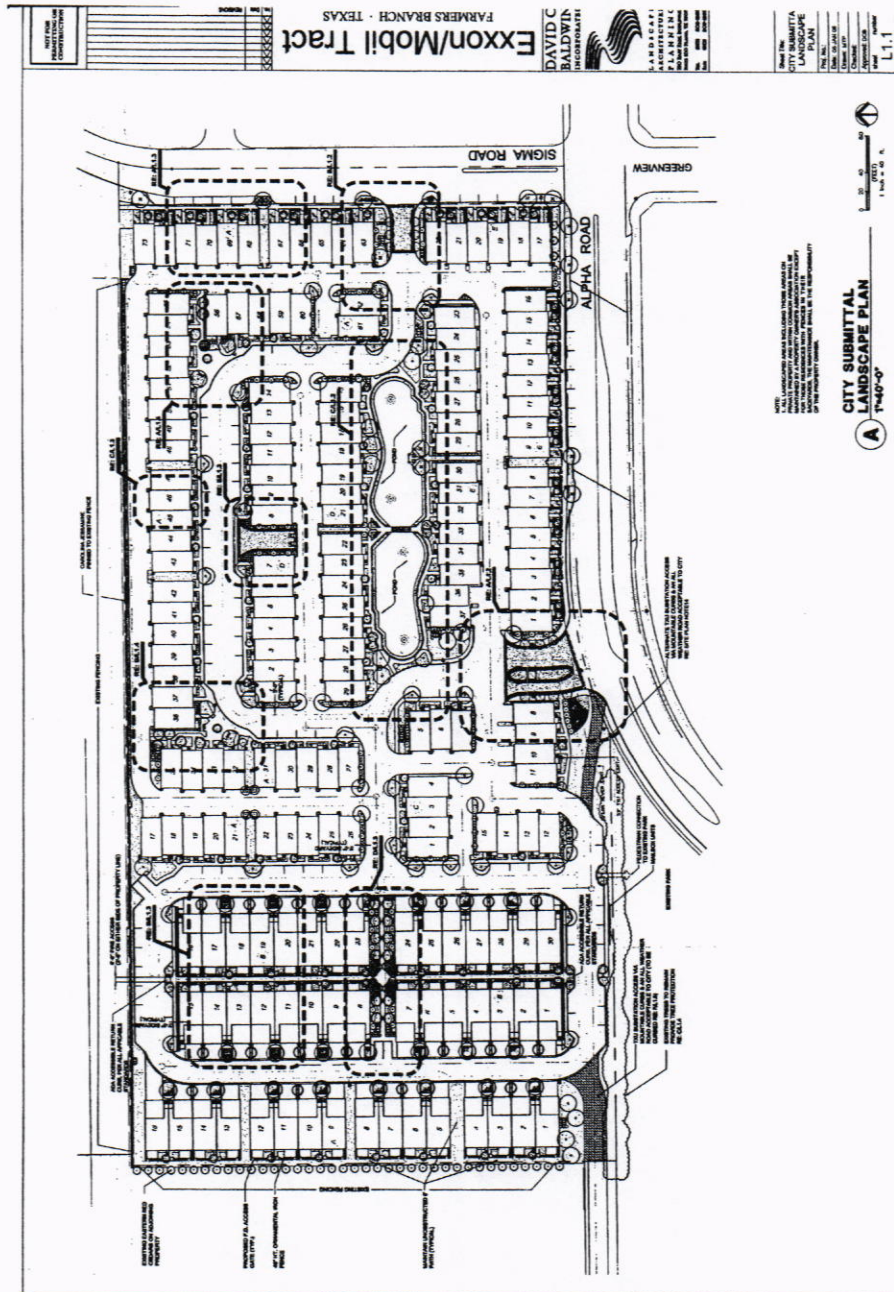


Exhibit C – Site Plan (continued)

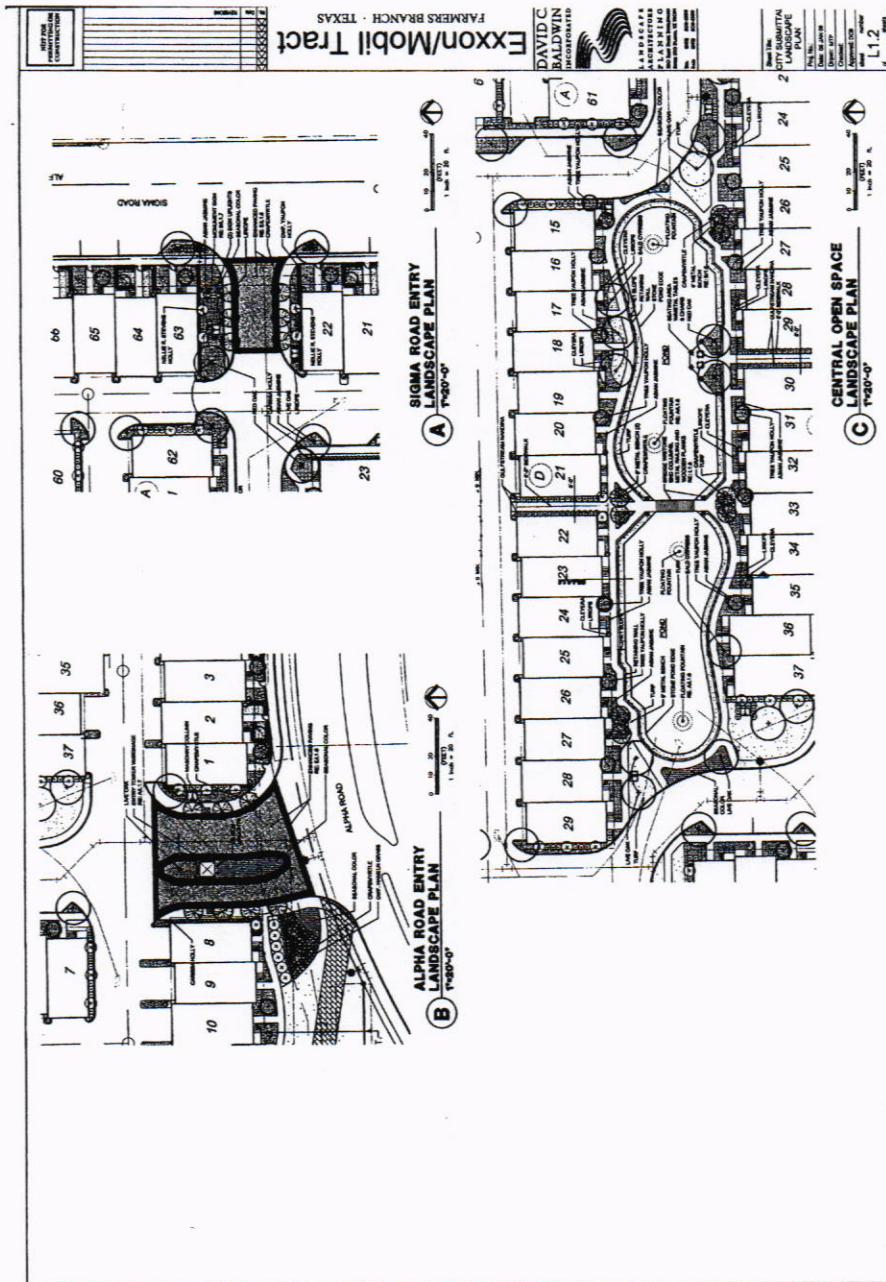
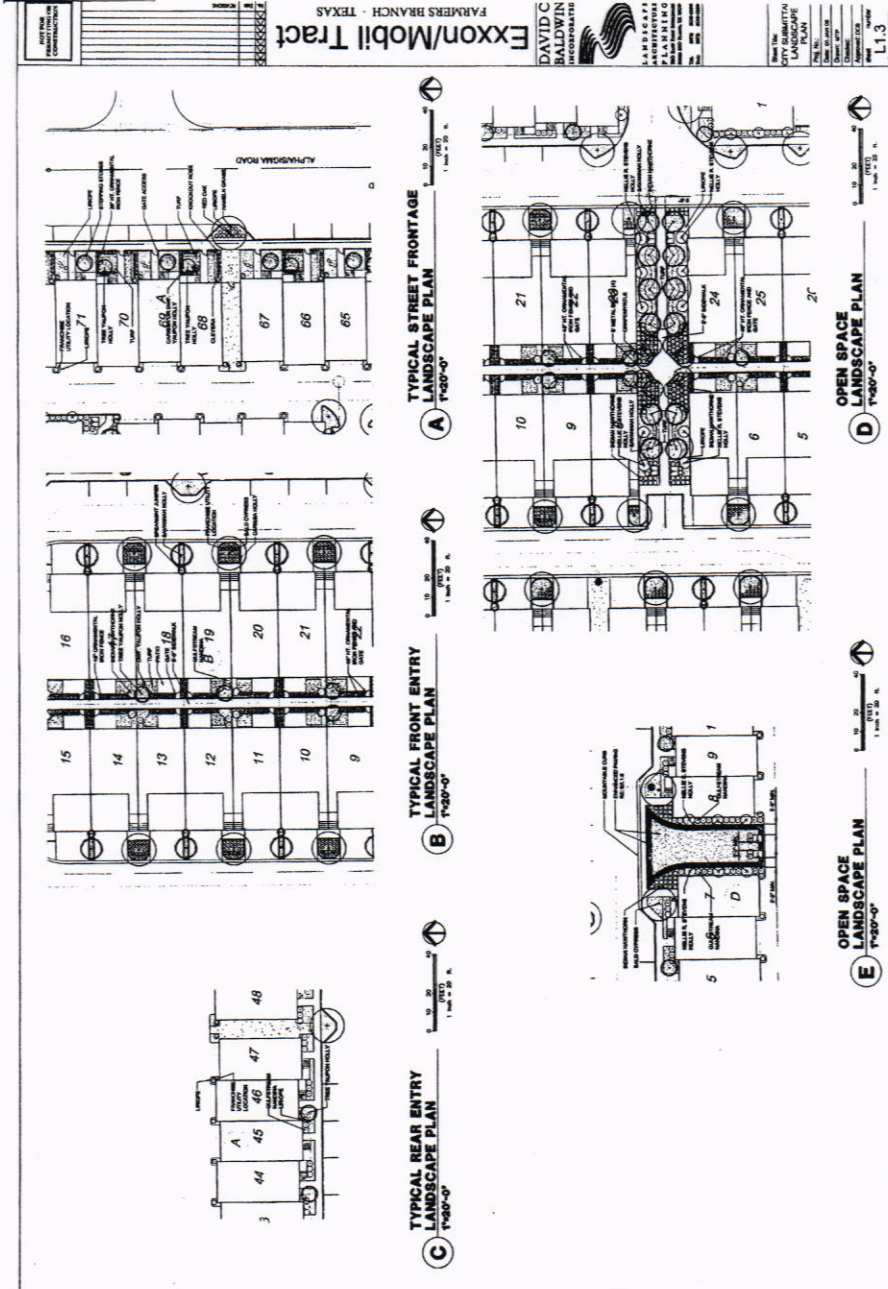


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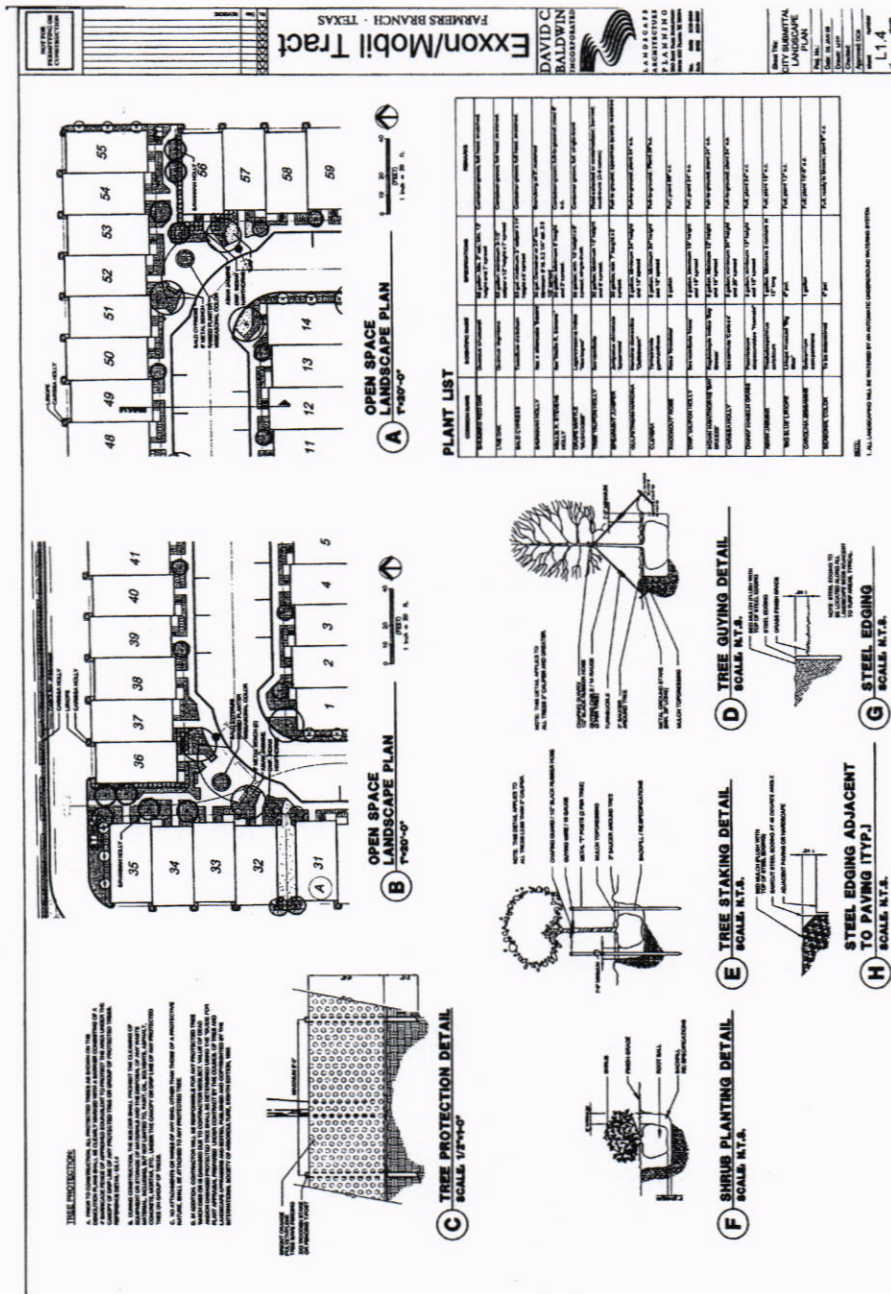
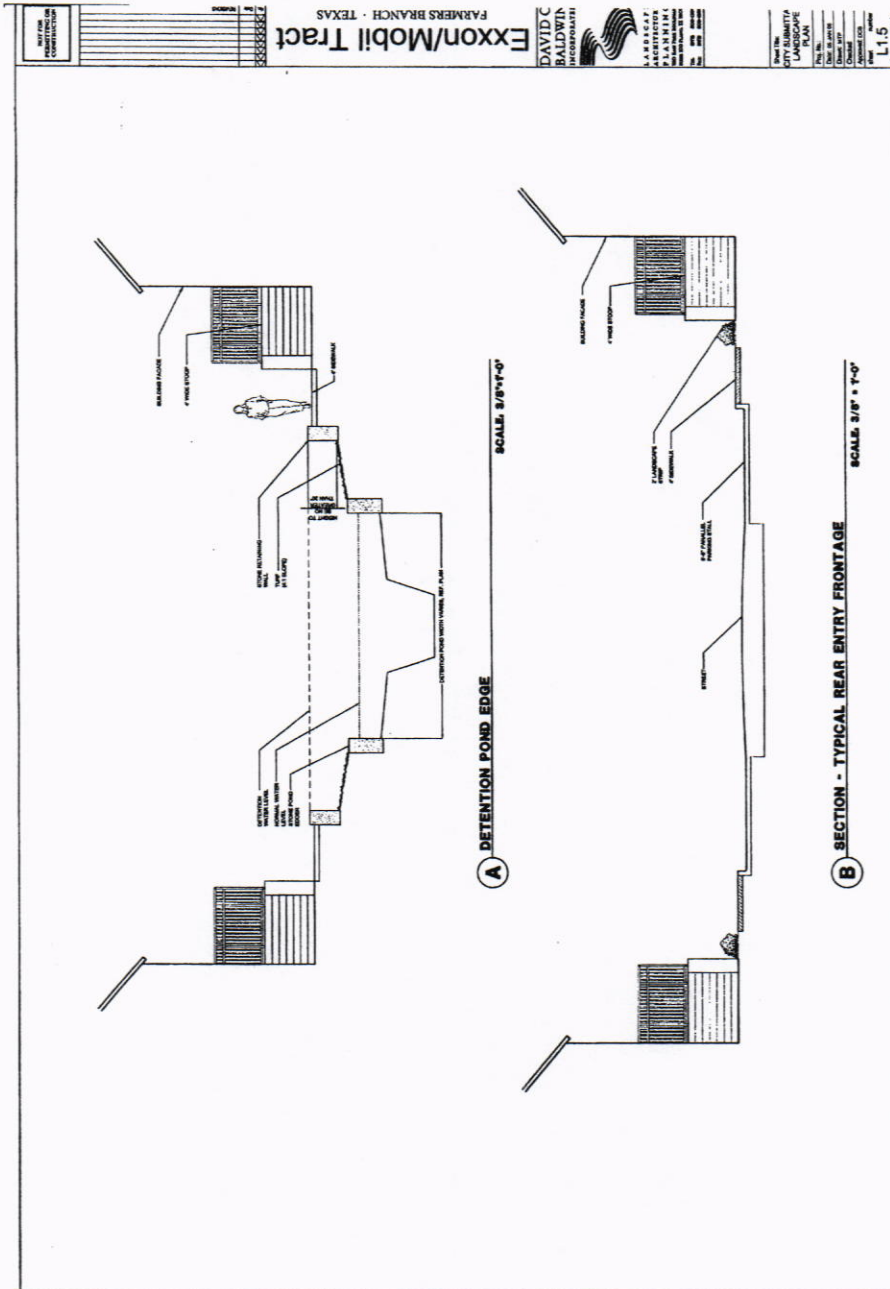


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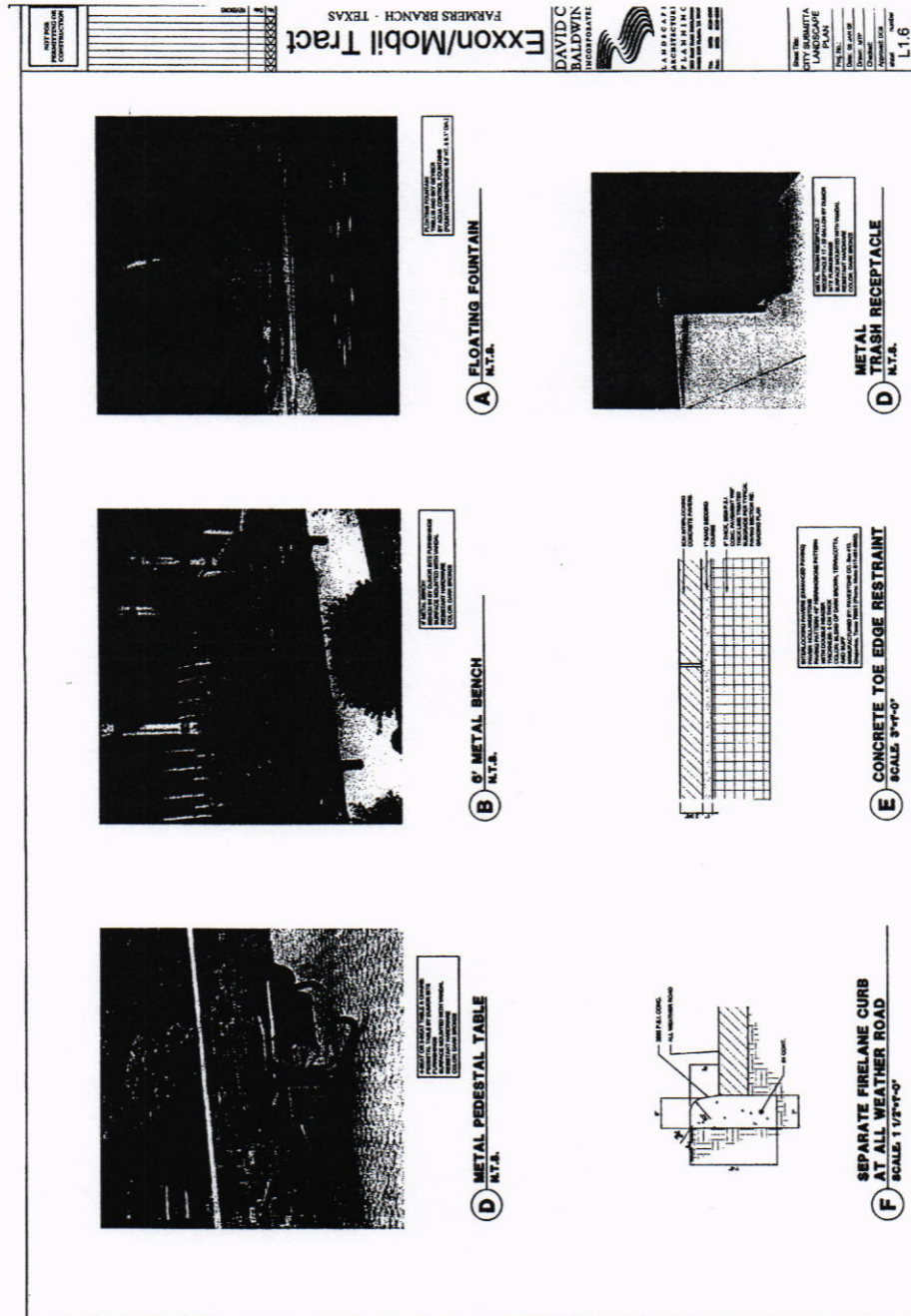
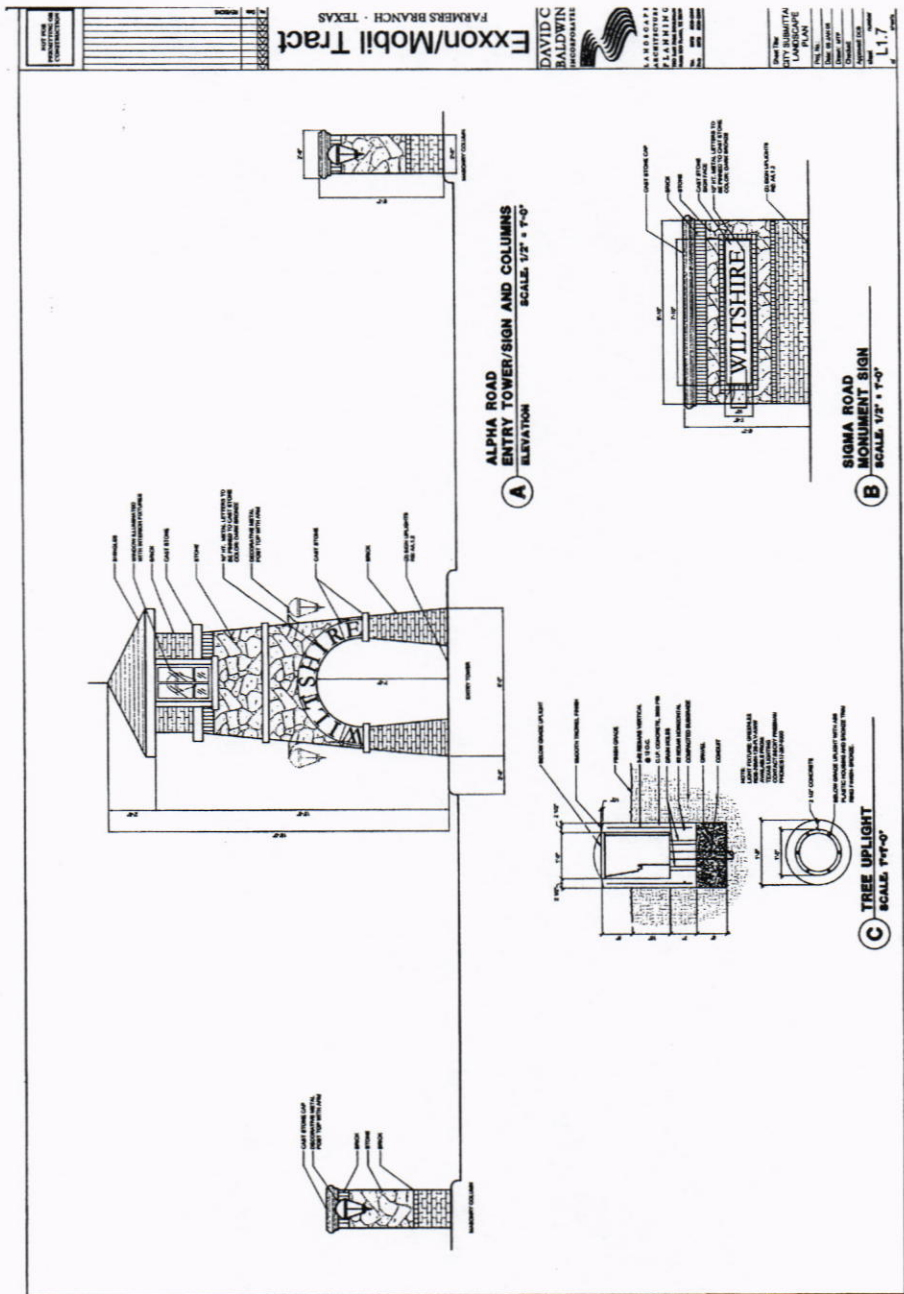


Exhibit C – Site Plan (continued)



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